IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL.

W.P. No. 874 of 2003 (M/B)

M/s M.S. Enterprises
C/3, Haldi(Patharchatta)
Udham Singh Nagar
Through Sri Mayank Chauhan
S/o Pradeep Kumar Chauhan ……..… Petitioner

Versus

General Manager,
Uttaranchal Jal Sansthan (Kumaon),
Nainital and another ..…….…… Respondents

Mr. Sudhir Singh i/b Mr. S.S. Chauhan, Advocate for the Petitioner.
Mr. J.P.Joshi, learned Advocate for the Kumaon Jal Sansthan.

Coram: Hon. S.H.Kapadia, C.J.
Hon. Rajesh Tandon, J.

Dated: 22.09.2003:

PC:

On 17.9.2002, contract was given to the petitioner for maintenance of a pumping station. The contract had a renewal clause. The contract also stipulated termination at any time by Uttaranchal Jal Sansthan. It has been now terminated on the ground of interpolation in the contract. Thereafter, advertisement has also been issued on 16.8.2003.

Without going into the merits, we are of the view that the Jal Sansthan had stipulated termination of contract at any time. We do not wish to go into the merits as disputed facts arise in the writ petition. The petitioner may file a suit, if so advised. We express no opinion on merits.

The writ petition is rejected.

(Rajesh Tandon, J.) **(S.H. Kapadia, C.J.)**

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